

**Environmental Protection Agency**

**§ 52.1605**

**§ 52.1603 Significant deterioration of air quality.**

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of §52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of New Jersey.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11323, Mar. 10, 2003; 68 FR 74489, Dec. 24, 2003]

**§ 52.1604 Control strategy and regulations: Total suspended particulates.**

(a) Any variance issued by the Department under N.J.A.C. Title 7, Chapter 27, section 6.5, subsections (a), (b), or (c) shall not exempt any person from the requirements otherwise imposed by

N.J.A.C. 7:27-6.1 *et seq.*; *Provided* that the Administrator may approve such variance as a plan revision when the provisions of this part, section 110(a)(3)(A) of the Act, and 40 CFR, part 51 (relating to approval of and revisions to State implementation plans) have been satisfied with respect to such variance.

(b) Particulates emissions from units 1 and 2 of the Atlantic City Electric Company's B.L. England Generating Station are limited to an emission rate of 0.5 lbs/million BTU until March 31, 1982 and June 1, 1982, respectively. The opacity associated with such emissions from these units during this period shall not exceed 40 percent. On and after March 31, 1982 for unit 1, and June 1, 1982 for unit 2, these units shall be limited to an emission rate of 0.1 lbs/million BTU, and the associated opacity shall not exceed 20 percent.

[44 FR 5427, Jan. 26, 1979 and 46 FR 26305, May 12, 1981]

**§ 52.1605 EPA-approved New Jersey regulations.**

State regulation	State effective date	EPA approved date	Comments
Title 7, Chapter 26			
Subchapter 2A, "Additional, Specific Disposal Regulations for Sanitary Landfills."	June 1, 1987 .....	June 29, 1990, 55 FR 26689 .....	
Title 7, Chapter 27			
Subchapter 1, "General Provisions".	May 1, 1956 .....	June 29, 1990, 55 FR 26689 .....	
Subchapter 2, "Control and Prohibition of Open Burning".	June 8, 1981 .....	Sept. 30, 1981, 46 FR 47779.	
Subchapter 3, "Control and Prohibition of Smoke from Combustion of Fuel".	Oct. 12, 1977 ....	Jan. 27, 1984, 49 FR 3465.	
Subchapter 4, "Control and Prohibition of Particles from Combustion of Fuel".	April 20, 2009 ....	August 3, 2010, 75 FR 45483.	
Subchapter 5, "Prohibition of Air Pollution.	Oct. 12, 1977 ....	.....do.	
Subchapter 6, "Control and Prohibition of Particles From Manufacturing Processes" (except section 6.5).	May 23, 1977 ....	Jan. 26, 1979, 44 FR 5427 .....	Section 6.5, "Variances," is not approved (40 CFR 52.1570(c)(20) and 52.1604(a)). Any State-issued variances must be formally incorporated as SIP revisions if EPA is to be bound to their provisions (40 CFR 52.1604(a)).
Subchapter 7, "Sulfur" .....	Mar. 1, 1967 .....	May 31, 1972, 37 FR 10880.	
Subchapter 8, "Permits and Certificates, Hearings, and Confidentiality".	Apr. 5, 1985 .....	Nov. 25, 1986, 51 FR 42573.	
Section 8.11 .....	Mar. 2, 1992 .....	Apr. 15, 1994, 59 FR 17935.	
Sections 8.1 and 8.2 .....	June 20, 1994 ...	August 7, 1997, 62 FR 42414.	